



Policy No. 106

Rights, Roles and Responsibilities

Adopted April 8, 1988
Revised: November 1, 2005

The Developmental Disabilities Council (DDC) position regarding the rights, roles, and responsibilities of persons and agencies when they are involved with change in residential services for persons who have developmental disabilities.

Need:

Recently, a Residential Habilitation Center (RHC) at Medical Lake was cited for deficiencies in a Medicare Title XIX program audit. The Division of Developmental Disabilities established an advisory task force to review a series of options which would bring the RHC into compliance. The task force recommended that 50 of the residents be placed in the community to determine the viability of this option. There were many opportunities for staff, parents and others to express their views and concerns. Because of these events and others which might occur in the future, the Developmental Disabilities Council (DDC) saw the need to develop a policy regarding rights of the residents, the roles of the staff and the responsibilities of Government and other service-provider agencies when significant changes in programs for persons who have developmental disabilities.

The DDC is aware of, and concerned with, the system of services to persons who have developmental disabilities which have programmatic, organizational and economic impacts. Change is, of necessity, an integral part of the service system. As individuals grow and develop and as knowledge and technology continues to expand change will occur. The responsibility of the systems to change with innovative and appropriate programs becomes increasingly important as change accelerates with new technology.

Purpose:

The DDC wishes to state clearly and concisely their position regarding to the rights of the residents, the roles of the staff, and the responsibilities of the providing agency when change is anticipated in the service-providing system. The position paper, along with the Developmental Disabilities Assistance and Bill of Rights, will act as a consistent guide to the Council in its response to the many pressures which occur in the process of change.

Position:

1. Rights Of Residents Who Are Developmentally Disabled

It must be recognized that all human beings experience individual differences and changes in development over their life span, thus service needs of individuals with disabilities will change over time, resulting in the need for programmatic changes.

In all matters, people who have developmental disabilities should be the primary concern. Each person should have available services and supports necessary to enhance individual strengths and offset problems of functioning due to his/her disabilities. Residents should not only be instructed about their rights and options but should be provided with training so that they will be effective self advocates. They should be instructed as to their options and the advantages and disadvantages of each option.

The Council believes residents have the right to request changes in their living situation which reflect the least restrictive environment and provide those protections which their abilities require.

2. Roles of The Staff Of Residential Facilities

All staff who work in the field of developmental disabilities have a right to equitable compensation and benefits. They have a right to collective bargaining. The rights of staff however, must not supersede the rights of individuals who have developmental disabilities. Substandard wages and working conditions negatively affect competence of staff and reflect societies concern for not only the staff but for the person who is developmentally disabled.

Although the DDC and the DDD have the responsibility to assist the displaced staff of residential facilities with other opportunities for employment which will utilize their skills and abilities, the rights of the resident are still primary and must receive first priority in any planning.

3. Responsibilities Of the Governmental Agency

The Council should encourage the Government in the following activities:

Parents, guardians, and other family members have a responsibility to actively and meaningfully participate in program planning and decision making regarding services to those families who have developmental disabilities. Hence systems-planning and change must include representation from parent and other advocate groups.

Programmatic change should occur as a result of thoughtful, systematic and frequent planning. Some issues regarding this are:

- a) All the valuable resources within the DD community should be included in planning and implementation, including staff from a variety of programs such as vocational, recreation, social services, et cetera. Staff from program elements which will be affected by proposed changes should always be included.
- b) The governmental agency should be knowledgeable about the psychology of change. There is considerable theory and literature, as well as professional experts, who can assist in planning and implementation when appropriate.
- c) An important part of the change process is affecting attitudes and behaviors in a positive way. All plans for programs/systems change which affect individuals with disabilities should provide appropriate education and information. which will assist in the process of actualizing the change.
- d) The governmental agency should use consultants and/or others to work with staff and the community in the process of change.